

JUDGE SWAIN

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

16 CV 8648

LOUIS TAFUTO,

Plaintiff,

vs.

DONALD J. TRUMP FOR PRESIDENT INC.,

REPUBLICAN NATIONAL COMMITTEE (RNC),

REINHOLD RICHARD PRIEBUS AKA REINCE

PRIEBUS, MICHAEL RICHARD PENCE, AND

DONALD JOHN TRUMP,

Defendant

Case No.:

Demand for Jury Trial

VIOLATION OF:

18 U.S.C. § 594 INTIMIDATION OF VOTERS

18 U.S.C. § 610 COERSION OF POLITICAL
ACTIVITY

18 U.S.C. 241-242 CONSPIRACY AGAINST RIGHTS
AND A DEPRIVATION OF CONSTITUTIONAL
RIGHTS

26TH AMENDMENT OF THE UNITED STATES
CONSTITUTION-RIGHT TO VOTE

COMPLAINT

*Plaintiff, Louis Tafuto, states upon information and belief for his complaint against the defendants (Donald J Trump
for President Inc., Republican National Committee, Donald John Trump, individually, Reince Priebus, and
Michael Richard Pence) the following:*

JURISDICTION

This is a case involving a federal question regarding a violation of the Constitutional Rights of the Plaintiff by the Defendants. It comes before the Southern District Court of New York by way of the primary N.Y., N. Y. address for Defendants Donald J. Trump for President Inc. and Donald John Trump, individually.

NATURE OF CASE

1. Donald John Trump's words and actions have proven him wholly untruthful and therefore unqualified and incapable of taking an oath of office or honoring an international treaty as President of the United States.
2. Donald John Trump's words and actions have proven he does not have the temperament, knowledge, or political belief to adhere to the principles of the U.S. Constitution.

3. With reliance upon aforementioned paragraphs 1 and 2, Donald John Trump would be unable to meet the minimum basic requirements to serve as President of the United States (1) Take an Oath ; (2) Uphold the Constitution.
4. From June 2015 through the present, in order to be elected to the office of President of the United States, defendants (Donald John Trump, Donald J. Trump for President Inc., the Republican National Committee, Reinhold Richard Priebus, and Michael Pence) did knowingly and willingly engage in a large scale strategic effort to target, coerce and intimidate the vulnerable demographic groups of the under-educated electorate into falsely believing their personal safety, their family, their children, their property, their lives and their country were in grave danger under the Presidency of any of his opponents.
5. From July 2016 through present, in a strategic effort to get the Republican Presidential nominee DJT elected to the office of the President of the United States (POTUS), defendant R. Priebus repeatedly, knowingly and willfully coerced the political activity of DJT's political detractors by threatening the future support the RNC would offer to Republican Politicians who withheld or retracting endorsements from defendant DJT.
6. From June 2015 through the present, as a Presidential Candidate of the United States, DJT did repeatedly, knowingly, maliciously, and willingly coerce the political activity of individuals or organizations he believed would oppose him by acts of intimidation, threats, and retaliation.
7. From June 2015 through the present, as Presidential Candidate of the U.S., DJT did repeatedly, knowingly and willingly coerce the political activity of any member of the government, oppositional candidate, media outlet, or private citizen who spoke out against him by acts of intimidation, threats, and retaliation.
8. From June 2016 through the present DJT did knowingly and willingly threaten the core of the democratic way of life for the Plaintiff and other US citizens should they vote for a candidate other than DJT by:
 - a. Falsely claiming that the only way he would lose the election would be because the United States election system was "rigged" citing "widespread voter fraud."
 - b. Insisting he would only accept the election results if he wins,
 - c. Declining to accept the election results should he loseDJT willfully and deliberately made the aforementioned statements to incite his volatile support base of under-educated voters to reject the election results should he loose.
9. The aforementioned widespread voter intimidation and coercion of political activity cited in Paragraphs 1-8 of defendants led to a significant compromise in the democratic election process of the United States and subsequently hindered the Plaintiff's constitutional right to vote, threatened plaintiff's right to live in a democratic society, and caused Plaintiff severe fear, anxiety, and stress over his safety.

Count 1: Coercion of Political Activity

10. **July 2016 – Present.** Pursuant to the aforementioned assertions made in the “Nature of the Case” and the below mentioned “Statement of Facts”, this is an action for Coercion of Political Activity in violation of 18 USC § 610 wherein the defendants, Donald J Trump for President Inc., Donald J Trump, the RNC, and Reince Priebus did willfully and knowingly coerce the political activity of DJT’s opponents or detractors from speaking out or voting against DJT through the creation of false narratives, humiliation, threats and intimidation.

Count 2: Voter Intimidation 18 U.S.C. § 594

11. **July 2016 – Present.** Pursuant to the aforementioned assertions made in the “Nature of the Case” and the below mentioned “Statement of Facts”, this is an action arising out of voter intimidation, a Violation of 18 U.S.C. § 594, wherein defendants did knowingly and willfully make extensive, targeted, and pervasive false claims that intimidated and created an overall fear, anger and hatred amongst the under-educated electorate in the US in order to procure their political support, campaign contributions, political activism, and votes for the defendant DJT.

NATURE OF DAMAGES

12. The aforementioned violations of **Voter Intimidation and Coercion of Political Activity** paragraphs 10-11 led to the violations of 18 U.S.C. 241-242 **Conspiracy Against Rights and a Deprivation of Constitutional Rights** and the obstruction of the 26th Amendment to the Constitution for the Right to Vote against the Plaintiff.

- a. Defendants offered a wholly untruthful, unqualified, and unfit POTUS candidate on the Republican ticket.
- b. Defendants threatened and intimidated voters and the Plaintiff into believing the Democratic nominee was a criminal and would end the very way of life in the United States.
- c. Defendants threatened the democratic principles should DJT not win:
 - i. Encouraged vulnerable under-educated supporters to go to polls to stop “illegal” voting.
 - ii. Encouraged vulnerable under-educated supporters not to accept the election results.
 and placed the Plaintiff in great fear and mental anguish during this election season and for Plaintiff’s upcoming voting rights.
- d. The instillation of severe mental anguish and fear of voting along with the absence of a realistic choice in the presidential election has led to the obstruction of the plaintiff’s right to vote.

13. Plaintiff sues defendants for punitive and compensatory damages in the amount of \$1,000,000,000 for the violations of constitutional rights against the plaintiff, a conspiracy to deprive plaintiff and the US electorate of the free election process in the United States, and severe mental pain and anguish of the plaintiff.

14. Pursuant to Federal Rules of Civil Procedure Rule 65 (b) "Injunctions and Restraining Orders", Plaintiff sues for a protective order barring the Defendant DJT on election day from inciting anger and violence in his under-educated supporters by making false claims including but not limited to: (1) continuous assertions (without evidence) of "widespread voter fraud", and a "rigged" US election system (2) refusing to accept the results of the US election if no viable or legal contest exists. (3) Continuous acceptance and approval of violence towards detractors and protestors.

PARTIES IN THE COMPLAINT

Plaintiff, Defendants, Addresses and Legal Capacities

Plaintiff:

15. Plaintiff, Louis Tafuto, resides at 7 Wilder Drive Warwick, NY 10990

16. Plaintiff, Louis Tafuto is a natural born US citizen.

17. Plaintiff, Louis Tafuto is over the age of 18.

18. Plaintiff, Louis Tafuto, is legally eligible to vote in the 2016 US Presidential Election on November 8, 2016.

19. Plaintiff, Louis Tafuto is and has been a registered member of the Republican Party for about 20 years.

Defendants:

Republican National Committee (RNC)

20. Defendant, the **Republican National Committee (RNC)** is a not for profit U.S. political action committee operating under the federal laws that provides national leadership for the Republican Party of the United States.

21. Defendant RNC legal address is 310 First Street SE, Washington D.C. 20003.

22. The RNC is responsible for the coordination and collection of financial contributions and fund-raising efforts that are designed for the promotion of formal Republican campaign activities of the RNC and its candidates.

23. The RNC has supported Donald J. Trump's presidential ticket through the aforementioned actions of since September 2015.

24. The RNC is being sued in their capacity as a non-profit on the basis of their decisions and actions within the nonprofit's board of directors during the course of providing leadership for the RNC.

Reinhold "Reince" Richard Priebus

25. Defendant, **Reinhold "Reince" Richard Priebus** (herein referred to as Reince Priebus) is the current RNC Chairman.

26. Defendant, Mr. Priebus's legal address as RCN Chairman is 310 First Street SE, Washington D.C. 20003.

27. Defendant Priebus has led the public case for DJT's campaign by appearing as a representative and defender of DJT and the RNC on many major new shows.

28. Reince Priebus is being sued for his statements and actions in his professional capacity of chairman at the RNC from September 2015 through present.

Michael Richard Pence

29. Defendant, **Michael Richard Pence** (herein referred to as Mike Pence) is the governor of Indiana and the vice-presidential nominee for Donald Trump's presidential ticket.

30. Defendant Pence's address is Office of the Governor, Statehouse, Indianapolis, Indiana 46204-2797

31. Defendant Pence is being sued in his capacity as DJT's vice-presidential candidate on the Republican Ticket.

Donald John Trump (herein also referred to as DJT)

32. DJT is the Republican Candidate for president,

33. DJT's addresses are as follows:

- a. Campaign Strategy Office: 310 First Street SE, Washington D.C. 20003
- b. Presidential Campaign Headquarters: 721 Fifth Avenue, New York, New York 10022
- c. Home: 721 Fifth Avenue, New York, New York 10022

34. Donald John Trump is the Republican National Committee's United States Presidential Candidate, and is being sued in his personal and professional capacity.

Donald J Trump for President Inc.

35. Donald J Trump for President Inc. (herein referred to as DJTFP) is the corporation set up to run the campaign for DJT for president,

36. DJTFP's addresses are as follows:

- d. Campaign Strategy Office Address: 310 First Street SE, Washington D.C. 20003
- e. Presidential Campaign Headquarters: 721 Fifth Avenue, New York, New York 10022
- f. Home: 721 Fifth Avenue, New York, New York 10022

37. DJTFP is being sued as a corporation.

STATEMENT OF FACTS (STATEMENT OF CLAIM)

U.S. Election Environment:

38. 2016 Presidential candidates realistic about becoming president must have the support of either the Democratic National Committee (DNC) or the Republican National Committee (RNC).

- a. In partisan elections, candidates are nominated by a political party or seek public office as an independent.
- b. Major party candidates are formally chosen in a party primary or convention, whereas minor party and independents are required to complete a petitioning process.
- c. The funding and resources allocated by both RNC and DNC provide unsurmountable advantage to the candidates running as either the Democratic or Republican Nominee.
- d. Based on the aforementioned facts from paragraphs a-c US Presidential Election System is for all practical purposes a 2 party (partisan) system.
- e. Registered voters must vote either the Democratic or Republican candidate if they want to vote for a candidate that has a real chance of becoming president.
- f. Votes for fringe parties serve only as protest votes to the major party candidates.

39. Registered voters are dependent upon the party platform and party representations regarding the qualifications of the candidate each party supports.

40. Based on the aforementioned facts outlined in paragraph 38 (a-f), both the RNC and the DNC have an obligation to the voting public to be consistent on their political platform and authentic in their support of their candidates. General evidence-based campaign practices by political parties is vital to the democratic election process.

41. Both the RNC and the DNC platforms call for presidential nominees to be able to serve the United States of America under the guidelines of the U.S. Constitution.

- g. Before entering into office, Article II Section 1 Claus 8 of the US Constitution requires a Presidential Candidate to take an oath that he will to the best of his ability, preserve, protect and defend the Constitution of the United States of America.
- h. Once in office, the 25th Amendment allows for the removal of a president that is judged unable to discharge the powers of the office including adhering to Article II Section 1 Claus 8.
- i. Therefore any "candidate" or "nominee" campaigning for POTUS must be capable of taking and honoring an oath, as well as understanding and executing the duties of POTUS according to the U.S. constitution.

Donald John Trump as a Major Party Candidate:

42. For the 2016 Presidential Election, Defendant DJT does not meet the minimum basic requirements to carry out the duties of the office for POTUS including but not limited to general disposition for truthfulness, a general adherence to constitutional principles, and a general respect for the laws governing the United States.
43. For the 2016 Presidential Election, Defendant DJT had no pathway to the POTUS without the endorsement of either Republican or Democratic Party.

Plaintiff's Right to Vote

44. The 26th Amendment to the US Constitution affords all citizens the right to vote. The right to vote is predicated upon a number of prerequisites:
- a. The electorate be provided with a viable choice.
 - b. The electorate to be provided with evidence-based messaging from the campaigns.
 - c. All primary and general election candidates must be able to present evidence based messaging and be generally free from intentional baseless threats and intimidation from the opposition so they may present a full, accurate, and unfettered representation of their character, positions, qualifications and platform.
 - d. The right to vote rests upon the electorate to be informed when a political party becomes aware that their candidate is egregiously untruthful or ignorant and cannot meet the obligations outlined in Sections a-c of this paragraph.
 - e. Candidates and Political Parties supporting candidates who fail to meet the requirements of a-c have a minimum obligation to only present evidence based campaign messages and declarations regarding general facts, policy positions, and qualifications (or lack thereof) of their candidates.
 - f. Repeated, deliberate and willful fraudulent misrepresentations of facts, positions, and character representations by candidates and the national party committee representing them, serve to corrupt, coerce, and inhibit a citizen's right to vote.
 - g. A repeated pattern of threats and baseless accusations against primary opponents and general election opponents (and or their constituents) designed to disparage, coerce and intimidate serves to corrupt a citizen's right to vote.
 - h. Candidates and Political parties that fail to adhere to points a-e of this paragraph violate the citizen's right to vote.

45. DNC and RNC have an obligation to Article II Section 1 Claus 8 and the 25th Amendment to the US Constitution and the US Citizens Right to Vote to limit support and endorsements of Presidential candidates to those that are able to preserve, protect, and defend the US Constitution.

a. By way of campaign support and endorsements, political parties, politicians and their surrogates are informing the voting public (US Citizens) that their candidate will uphold the U.S. Constitution.

b. In the event the egregious dishonesty, character, ignorance, and / or knowledge base render a Party's presidential candidate unable to preserve, protect and defend the US Constitution, they owe it to their constituents and the voting public to:

- i. Attempt help the candidate understand the responsibility and meet this requirement.
- ii. If "Point i" fails, the party must publically stop endorsements and support of the candidate.

DJT Evidence of inability to serve as POTUS

46. On or about the year 1973 continuing through the present, there is reliable and credible evidence to support the fact that Donald J. Trump exhibits a pattern of untruthful and unconstitutional actions and beliefs that preemptively bar the defendant from serving as POTUS and adhering to the U.S. constitution.

DJT, Truthfulness, Integrity, and the Oath of Office

47. Presidential Candidates must be held to some standard of honesty and integrity when making campaign statements.

48. While candidates and representatives on occasion make misleading statements to protect their interests, continuous, strategically blatant and calculated falsehoods designed to deceive the electorate cannot be the basis for a presidential campaign.

49. Official campaign speeches and surrogate's statements should be mostly true.

50. Campaigns and campaign surrogates should strive to align statements and speeches with evidence based messaging.

51. Defendant DJT has repeatedly demonstrated his commitment to honesty and integrity do not meet the aforementioned (Paragraphs 47-50) standards nor does his level of honesty and integrity meet the minimum basic requirements necessary to honor a Presidential Oath of Office.

a. Truthfulness. DJT has a repeated and deliberate pattern of making continuous and blatant false statements throughout his private life and during his 2015-2016 presidential bid for POTUS.

- i. In 1987, DJT's coined his overall modus operandi for conducting himself in his professional and public life as "Truthful hyperbole" which is the practice of willful and fraudulent misrepresentations for the purposes of promotion.
- ii. DJT specifically defines this fraudulent practice in his book The Art of the Deal published in 1987:

"People want to believe that something is the biggest and the greatest and the most spectacular. I call it truthful hyperbole. It's an innocent form of exaggeration—and it's a very effective form of promotion."
- iii. DJT's art of willful fraudulent misrepresentation defined as "Truthful hyperbole" has played a significant role in his attempt to maliciously defraud the public of their campaign contributions and votes during his candidacy for POTUS from June 2015 through the present.
- iv. From June 2015 – present, DJT transformed his practice of "truthful hyperbole" for promotion to include exaggerated falsehoods designed to meet his false campaign messaging needs and maliciously decimate his opponents.
- v. In December 2015 the NY Times reported a snapshot of fact checking from PolitiFact (Pulitzer Prize Winning) for past presidents and primary candidates in the 2016 election. DJT was checked on 70 statements that were significant, newsworthy, or potentially influential: 76% of these type of statements made by DJT were identified as "Mostly false and worse" only 7% were identified as "True or mostly true."
- vi. In October 2015 PolitiFact's report on DJT's truthfulness record throughout his 16 months of campaigning showed a decrease in truthfulness and an increase in falsehoods. Updated results show that DJT's falsehoods ("Mostly False", "False", and "Pants on Fire") on significant, news worthy or potentially influential statements to increase over time 72%. DJT's half true statements were 13%, mostly true statements were 11%, and completely true statements sunk from an aggregate of 7% in December 2015 to aggregate of 4% in October 2016.
- vii. A 72% level of dishonestly and a 4% level of complete truthfulness for significant, newsworthy, or potentially influential statements throughout a presidential campaign supports the assertion that DJT would be incapable of honoring the Oath of Office for POTUS.

b. **Integrity.** Truthfulness aside, DJT's actions and statements regarding his commitment to binding oaths, treaties, or constitutional customs substantiate the fact that he does not have the integrity necessary to understand what it means to remain committed to the "Oath of Office"

i. **Republican Party Commitments:** After taking an independent oath to the RNC in September 2015, DJT has repeatedly asserted that if he feels mistreated or believes other candidates will not honor their independent oaths the RNC, he does not have to honor his pledge to the oath.

ii. **US Financial Commitments:** DJT has asserted that he as POTUS would look to avoid honoring the payout rate US Treasury Bonds were sold at in order to reduce the National Debt. This refusal to honor a US Treasury Bond is not only an unheard-of, potentially disastrous policy proposition, but a clear insight into DJT's commitment to vital US fiduciary obligations.

iii. **Foreign Commitments:** DJT has repeatedly asserted that he as President would not have to honor treaties such as NATO if members did not pay their share.

iv. **Constitutional Commitments:** In the 3rd Presidential Debate DJT has made the unprecedented refusal to pledge to honor and accept the election results of the US Presidential Election on November 8, 2016.

DJT and the Constitution

52. Defendant DJT's statements during his presidential bid from 2015 - present demonstrate he does not meet the minimum basic requirements of knowledge and understanding of the constitution to be capable of upholding the constitution as a requisite for POTUS.

53. The aforementioned actions include but are not limited to beliefs or violations against:

a. The First Amendment of the US Constitution

i. **Freedom of Religion:** From June 2015- present DJT has repeatedly expressed the position that as POTUS he believes in applying extra scrutiny to Muslim-Americans and racial profiling for this religious group might be in order.

1. Shortly after the November 2015 terrorist attacks in Paris, Trump told Fox News that the U.S. government should close mosques where "some bad things are happening." Trump stated, "Nobody wants to say this and nobody wants to shut down religious institutions or anything, but you know, you understand it.

1 A lot of people understand it. We're going to have no choice. Some really bad
2 things are happening."

3 2. On or about December 2015, Trump proposed a ban on Muslims.

4 3. On or about October 2016, Trump asked the audience at a rally if he should
5 allow the non-Christian conservatives to remain or kick them out of the rally.

6 ii. Freedom of the Press: From June 2015- present DJT has repeatedly call the U.S. Free
7 Press corrupt, barred members of the press from his political events and stated his
8 position is that "freedom of the press" does not apply "when newspapers and others
9 are allowed to say and write whatever they want even if it is completely false!"

Inciting anger, intimidation and abuse against Media

10 a. On August 14, 2016, in Fairfield Connecticut, Donald J Trump did
11 strategically, knowingly and deliberately incite anger in his supporters and
12 direct it toward the media by stating he "was not running against crooked
13 Hillary. [he] was running against the crooked media."

14 b. At a Miami, Florida rally on November 2, 2016, DONALD J TRUMP did
15 deliberately, knowingly and willfully put the safety of a media reporter in
16 danger when he incited the anger of his supporters and directed it toward a
17 reporter, Katy Tur, because he believed she was not covering support for his
18 campaign properly.

19 Trump supporters' response to inciting anger, intimidation and abuse at the media

20 c. As a result of Trumps language and behavior on August 14, 2016 many
21 supports verbal assaulted and intimidated members of the media by shouting
22 profanity at the media reporting at the rally, calling them "liars", and giving
23 them the "middle finger".

24 i. This conduct was a violation of Connecticut Breach of Peace Laws
25 Title 53a Chap. 952 53a-181. A person is guilty of breach of the
26 peace in the second degree when, with intent to cause inconvenience,
27 annoyance or alarm, or recklessly creating a risk thereof, such
28 person

29 d. As a result of DONALD J TRUMP's language and behavior on November 2,
30 2016 Ms. Tur had to be escorted from the rally by secret service.

31 i. This conduct by Trump and his supporters was a violation of
32 Florida's Constitutional Rights Law 760.51 "Whenever any person,

whether or not acting under color of law, interferes by threats, intimidation, or coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by any other person of rights secured by the State Constitution or laws of this state”

iii. Freedom of Speech: DJT advocated violence over law and order to those who protested against him.

a. Examples of this aforementioned action/reaction behavior includes but is not limited to the following incidents:

Inciting Violence against Protestors

- i. In Birmingham Alabama, on November 21, 2015, when a protestor was assaulted at his rally, DONALD J TRUMP blamed the protestor by asserting during a phone interview about the protestor: “He was yelling by himself....was he roughed up? ...maybe he should have been roughed up.”
- ii. On February 1, 2016 at Cedar Rapids, Iowa he instructed a crowd of his supporters to “knock the crap out of” any protestors they see getting ready to throw tomatoes. He also stated they should “knock the hell out of them.” And promised to pay their legal fees.
- iii. On February 22, 2016 in Las Vegas Nevada, he encouraged violence against protestors when he stated he loved the days when protestors would “be carried out on a stretcher” for protesting. And then indicated he “would like to punch them in the face.”
- iv. On March 11, 2016 in St. Louis, Missouri, DONALD J TRUMP explained that the problem with protestors was that “nobody wants to hurt them anymore.”
- v. On November 5, 2016, when a protestor holding a sign saying “Republicans Against Trump” was violently attacked at a Trump rally in Reno, Nevada and Trump supporters falsely claimed the protestor had a gun, DONALD J TRUMP thanked the secret service for protecting him but made no attempt to alleviate or address the senseless violence towards the non-violent protestor.

Trump Supporters' response to Inciting violence towards protestors

vi. During each of these aforementioned rallies (a-e), Trump supporters did in fact act violently against protestors.

b. The Second Amendment of the Constitution

i. Right to Bear Arms: From June 2015- present DJT has shown a misunderstanding of and abusive position on the Second Amendment, examples include but are not limited to the following:

1. He explained at a rally in North Carolina on or about August 10 that people who bear arms might have the only remedy to stop Hillary Clinton from stopping her from picking her judges: "Hillary wants to abolish -- essentially abolish the Second Amendment. By the way, if she gets to pick, if she gets to pick her judges, nothing you can do, folks. Although the Second Amendment people, maybe there is, I don't know."
2. Trump also indicated that as POTUS his support of the 2nd amendment would have allowed citizens to open fire in the Pulse Nightclub in Orlando at the shooter by saying, "It's too bad that some of the young people that were killed over the weekend didn't have guns, you know, attached to their hips, frankly, and, you know, where bullets could have flown in the opposite direction."

c. The Fifth Amendment of the Constitution

i. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury: From June 2015 – present DJT has shown repeated positions that support his lack of understanding of the 5th Amendment by his statement including but not limited to:

1. Repeated positions at his rallies that the government should lock Hillary Clinton up for her conduct with her private email server as Secretary of State despite the fact that the matter has been investigated and closed by the Department of Justice.
2. On or about October 9, 2016, threatening Hillary Clinton by stating that she would be in jail if he was elected POTUS.
3. On or about October 9 2016, threatening to order his attorney general to appoint a special counsel to investigate his political opponent once he is in office.

d. The Sixth Amendment of the Constitution

- i. From June 2015 – present DJT has shown repeated positions that support his lack of understanding of the 6th Amendment by his statement including but not limited to:
 1. Continuing to accuse his political adversary (Hillary Clinton) of criminal behavior for her private use of email while Secretary of State even after the FBI and Justice Department reported there was not evidence of to pursue a criminal charge.
 2. As a presidential candidate endorsed by the Republican Party, DJT continued to ignore the 6th amendment by stating:
 - a. If her were president she would be in jail.
 - b. Encouraging his supporters to chant “Lock her up.”
 - c. To promote slogans including “Hillary for Prison.”

e. The Eight Amendment of the Constitution

- i. No cruel and unusual punishment: From June 2015 – present DJT has shown repeated positions that support his lack of understanding of the 8th Amendment by his statement including but not limited to:
 1. Claiming that as POTUS he would bring back waterboarding and “much worse” for terrorists.
 2. Claiming that as POTUS he would make it policy to kill the families of terrorists including their children.
 3. Although this constitutes a war crime against non-US Citizens, within the US it is also a violation of the 8th Amendment banning cruel and unusual punishment for US citizens.
 - d. At least 4 of the most recent terrorist attacks on US soil have been carried out by US citizens (Boston: April 15, 2013, San Bernadino: December 2, 2015, Orlando: June 12, 2016, NYC: September 18, 2016,)
 - e. According to DJT’s POTUS official position to responses to terrorism could include instituting the aforementioned war crimes against US citizens thus violating the 8th Amendment.

f. The Fourteenth Amendment of the Constitution

i. No person shall be a POTUS who has taken an oath to support the US has engaged in insurrection or rebellion. From June 2015 – present. DJT has committed the following acts of insurrection:

- a. Without evidence or proof vehemently announced at a rally that President Obama and Hillary Clinton were the founders of ISIS.
- b. On a radio show insisted he was serious that Hillary Clinton and Barack Obama were the founders of ISIS (not in a theoretical manner).
- c. Without evidence or proof repeatedly and deliberately declared (from August 2016 to present) at numerous campaign rallies that they only way he would lose the election would be because of a “rigged election” and “Widespread Voter Fraud.”

- i. At the time these statements have been made a large majority of reliable public polls revealed a high likelihood that DJT was losing the election.
- ii. In Green Bay Wisconsin, DJT stated Democrats “want to try to rig the election at the polling place,” and added “So many cities are corrupt and voter fraud is very, very common.”
- iii. Called upon his supporters (who are predominantly) to get like-minded friends, “monitor polls” to identify voter fraud.
- iv. At a rally in Cincinnati, DJT has told his supporters over and over, that this election is rigged, and if he loses, it will be because of a massive conspiracy to take him down.

- 1. DJT supporters in attendance at the aforementioned rally interviewed after the speech stated that they planned to go to their local precinct to stop illegal immigrants from voting while some even spoke of rebellion and assassination if Trump did not win.

- d. On October 19, 2016, DJT refused to honor the will of the voter when he indicated he would not pledge to concede the presidency to his opponent should he not win on Election Day.
- e. On October 20, 2016, DJT pronounced he would only honor the will of the voter on Election Day “if [he] wins.”

- f. Without promulgation or purpose DJT publically implored the Russian government to commit espionage and hack his opponent's emails.
- g. Willfully and deliberately lied to the American Public regarding foreign espionage when on or about October 10, 2016 and October 19, 2016 DJT asserted during a presidential debate on national television that the United States did not know who hacked his opponent's emails.

- v. At the time DJT made that statements in above DJT had been formally briefed by the US government that an investigation had concluded high level Russian officials did hack his opponent's emails.

g. Civil Rights Act of 1964: From 1973 through present times DJT has displayed a clear pattern of prejudices and violations of civil rights including but not limited to:

- i. 1973 Federal government discrimination suit filed where Trump discriminated against minorities. Trump settled with a \$200,000 fine and no admission of guilt.
- ii. 1976 Federal government discrimination case suit filed where Trump again was discriminating against minorities.
- iii. 1992 The New Jersey Casino Control Commission fined the Trump Plaza Hotel and Casino \$200,000 in 1992 because managers in Trump organization would remove African-American card dealers at the request of a certain big-spending gambler. A state appeals court upheld the fine.
- iv. 1996 DJT was sued by more than 20 African-American residents of Indiana who say he reneged on promises to hire 70% of his work force from the minority community for his riverboat casino on Lake Michigan. Trump went bankrupt and all suits were dismissed
- v. 2008-2016 DJT led and promulgated the unsubstantiated alt right "birther movement" designed to humiliate, demonize and discredit the first US African American President Barack Obama by claiming Barack Obama, native born US citizen, was not born in the United States, citing his Kenyan descent.
- vi. During a presidential debate on or about October 10, 2016 DJT stated that he wished to bring back the unconstitutional policy of "Stop and Frisk" practiced by Rudy Giuliani as Mayor of NYC.
- vii. During a presidential debate on or about October 10, 2016 DJT after being informed of the fact that the "Stop and Frisk" practices in NYC had been determined to be

1 unconstitutional, DJT stated that it was his position that he considered the practice
2 constitutional because the lower court's decision that it was unconstitutional had never
3 been appealed to a circuit court.

4 viii. DJT made a statement that he believed a US citizen and Federal Judge was unqualified
5 to hear the case against Trump University because the Judge was of Mexican heritage.

6 ix. During this June 16, 2015 speech DJT made the following discriminatory statement:

7 *"When Mexico sends its people, they're not sending their best.*
8 *They're not sending you. They're not sending you. They're sending*
9 *people that have lots of problems, and they're bringing those*
10 *problems with us. They're bringing drugs. They're bringing crime.*
11 *They're rapists. And some, I assume, are good people."*

12 54. These positions overwhelming support the fact that DJT is incapable of honoring an oath, treaty,
13 commitment, or the principles of the constitution.

14 The RNC pact with DJT

15 55. The Republican Party claims to stand behind honest elections and the right to vote. Stating in their
16 platform:

- 17 a. Honest elections are the foundation of representative government.
- 18 b. We pledge to protect the voting rights of every citizen, as well as their rights of conscience
- 19 c. The RNC preamble states:

20 *"We are also the party of the Constitution, the greatest political document ever*
21 *written. It is the solemn compact built upon principles of the Declaration that*
22 *enshrines our God-given individual rights and ensures that all Americans stand*
23 *equal before the law, defines the purposes and limits of government, and is the*
24 *blueprint for ordered liberty that makes the United States the world's freest and*
25 *most prosperous nation.*

26 *We reaffirm the Constitution's fundamental principles: limited government,*
27 *separation of powers, individual liberty, and the rule of law. We denounce*
28 *bigotry, racism, anti-Semitism, ethnic prejudice, and religious intolerance.*
29 *Therefore, we oppose discrimination based on race, sex, religion, creed,*
30 *disability, or national origin and support statutes to end such discrimination."*

31 56. On or about June 2015 DJT announced his Candidacy for POTUS as a Republican.

32 57. The RNC requests Republican Primary Candidates to sign a loyalty pledge in order to gain recognition,
credibility and support as a Republican Party Candidate. (Exhibit A-Oath)(Exhibit B- Trump Transcript)

- a. On or about September 2015, DJT signed the aforementioned pledge.
- b. From August 2015 - May 2016 DJT has said he would not honor that pledge

- c. From July 2016 to the present DJT as the RNC Presidential Nominee has exhibited continuous disloyalty and damaging statements to the Republican Party and its candidates including but not limited to:
 - i. Ted Cruz,
 - ii. John Kasich,
 - iii. Jeb Bush,
 - iv. Paul Ryan,
 - v. Marco Rubio,
 - vi. John McCain
 - vii. Rick Perry
 - viii. Scott Walker
 - ix. Carly Fiorina
- d. From July 2016 to present as the RNC Presidential Nominee has exhibited continuous disloyalty and damaging statements to the Republican Party after members of the party distanced themselves from DJT's scandalous behavior or derogatory remarks against women. Intimidating them with insults including but not limited to:
 - i. Calling Republicans "self-righteous hypocrites."
 - ii. Charging Republicans as being "more concerned about their political future than the country."
 - iii. Attacked the Republican leader, Paul Ryan, as "weak and ineffective."
 - iv. Stating the "shackles" of the Republican Party have been taken off.
 - v. Accusing Republicans of offering "zero" support after falsely claiming he beat Hillary Clinton in the 2nd debate in every poll and made scandalous remarks against women.
 - vi. Accusing Republicans who failed to support him after he made comments about sexually assaulting women as "disloyal republicans" calling them "worse than Crooked Hillary Clinton."
 - vii. Stating "disloyal" Republicans "come at you from all sides."
 - viii. Stating "Republicans don't know how to win."
 - ix. Stating Democrats are "more loyal" than Republicans
- e. A presidential nominee's damaging statements to the Republican Party members regardless of the members political positions serve to obstruct and coerce the political obligation of aforementioned Republicans to speak out against DJT atrocious statements and behavior.
- f. DJT's attacks on his own party, as the Presidential Nominee, prove he is unable to honor his very simple loyalty pledge to the RNC.

58. The RNC holds a database containing information on more than 200 million Americans, which can be used to support RNC endorsed presidential campaigns through the solicitation of donations from this database or to power a get-out-the-vote effort.

- a. On or about December 2015, RNC and DJT signed an agreement for DJT to have access to the aforementioned database.

59. The RNC public support of the candidacy of DJT served to:

- a. Validate the DJT candidacy to conservative republican voters, undecided voters and the general public.
- b. Provide access to voter information on 200 million Americans for Donald J Trump for President Inc.
- c. Destroy Republican Primary Candidates as his opponents
- d. Discredit and Destroy the Republican Party in general.

60. Based on the aforementioned paragraphs, Defendants, RNC, Reince Priebus, and Mike Pence have been fully aware DJT does not have nor has he ever had the general truthfulness, adherence to constitutional beliefs and positions consistent with the RNC core principles as outlined in the preamble.

61. The defendants RNC, Reince Priebus and Mike Pence were obligated to their under-educated constituents to be honest and truthful in their messaging about the nature and character of DJT and refuse to accept and engage in Voter Intimidation and Political Coercion.

62. The RNC should never have shared the data on information of 200,000,000 US citizens with DJT.

DJT and the Under-educated (vulnerable population group):

63. The under-educated is defined as having less than a college degree.

64. Under-educated voters can present a vulnerable demographic because they more than likely have not been taught to understand the value, method, or procedure for critical thinking or to be able to research whether or not a statement is true or false.

65. The under-educated would be more vulnerable to DJT's coined conduct of "Truthful hyperbole."

66. In February 2016, DJT announced that he "loved the poorly educated."

67. In August 2016 a Bloomberg Poll indicated that 76% of the under-educated voters support DJT.

68. In September 2016, the Atlantic Magazine broke down the demographics of supporters for Trump and Clinton. It was identified that 57% of DJT supporters were under-educated.

69. Trump has used the vulnerability of the under-educated to get them to believe his false statements and assertions as truthful.

70. Trump has strategically and continuously used false statements and assertions to mislead and coerce the under-educated to vote for him, support him, and act unlawfully on his behalf including but not limited to:

- a. Punching protestors.
- b. Deterring voter fraud at polls.

DJT deliberate campaign strategy of false messaging, coercion, and intimidation

71. From June 2015 – present DJT and Donald J. Trump for President Inc. did knowingly, willfully, and strategically engage in a scare-tactic campaign based on false narratives designed to intimidate the under-educated electorate to donate to, support and vote for DJT.
72. A 5-day analysis of DJT's campaign speeches performed by Politico in September 2016 revealed DJT asserted 1 falsehood every 3 minutes and 15 seconds.
73. The Pulitzer Prize winning organization, Politifact, evaluates the truthfulness of the 2016 election candidates' significant, newsworthy, or potentially influential campaign statements.
74. Politifact has found only 15% of DJT's significant, newsworthy, or potentially influential statements during his campaign to be mostly true or completely true.
75. Politifact found 70% of DJT's significant, newsworthy, or potentially influential statements during his campaign to be mostly false, false, "pants on fire false".
76. DJT has acknowledged his belief and practice of false messaging when he coined the term "Truthful hyperbole" as a tool self-promotion.
77. DJT has proven his commitment to the truth when he stated on or about August 13, 2016 that he might to the electorate, but he wouldn't lie to a boy with cancer.
78. DJT has proved his awareness that this false messaging has reached the under-educated voter when he stated after seeing the exit polls of who voted for him in the primaries that he "love[s] the under-educated."
79. DJT falsehoods center around creating an environment of fear, hate and intimidation leading the under-educated voters to believe they are in danger by asserting falsehoods on topics including but not limited to the following:

Fear of minorities, immigrants and immigration

- a. Mexican immigrates are rapists.
- b. Islam hates us.
- c. Thousands of Arabs in Jersey City were cheering when the Twin Towers fell.
- d. ISIS is going to pour into the US and commit terrorist attacks.

Fear and hatred of the government and the sitting President

- a. The U.S. has no way to screen Syrian Refugees looking for asylum in the US.
- b. President Obama founded ISIS
- c. President Obama was not born in America
- d. President Obama has made a more dangerous environment than anybody has ever watched or seen.
- e. President Obama regrets appointing Hillary Clinton to Secretary of State

f. NAFTA was one of the worst economic deals ever made by the US or any other country.

g. The election is rigged.

Fear for life as a US Citizen

h. US Citizens have been forced to endure domestic disasters.

i. US Citizens have been forced to live through one international humiliation after another.

j. Life for the African American is the worst it has ever been.

k. U.S Veterans are treated worse than illegal immigrants.

l. Children's lives are being sacrificed due to open borders.

Hatred and fear of his opponent Hillary Clinton

a. Hillary Clinton is a corrupt politician and a criminal.

b. Hillary Clinton was the worst Secretary of State in the history of the country. The world came apart under her reign.

c. Hillary Clinton is the co-founder of ISIS

d. Hillary Clinton is the devil.

e. Hillary Clinton's legacy is death, destruction, terrorism and weakness.

f. Hillary Clinton's message is that things will never ever change.

g. Hillary Clinton illegally stores her emails on a private server.

h. Hillary Clinton can't satisfy her husband.

i. Hillary Clinton cheated on her husband.

j. Hillary Clinton is against the 2nd Amendment.

k. Hillary Clinton was responsible for the birther movement.

Hatred and fear of the FBI and Attorney General

a. The FBI is in cahoots with the Clinton Campaign

b. The FBI's charge that Hillary Clinton was extremely careless, but not criminal is false and the FBI is hiding what she actually did.

c. The U.S. Attorney General is in cahoots with the Clinton Campaign

80. From June 2015 – present, DJT did knowingly, willfully and strategically make unrealistic and false promises in order to coerce the electorate into voting for him including but not limited to:

a. He will incarcerate Hillary Clinton when he becomes POTUS.

b. He will build a 30 ft high and 10 ft deep "Beautiful" concrete wall across the Mexico – U.S. Border and make Mexico pay for it.

c. He will put an end to the "crime and violence that afflicts [the US]"

- d. Safety will be restored.
- e. He was a really good student at the best school in the country.
- f. Nobody respects women more than he does.
- g. Mexican love him.
- h. He loves the Blacks.
- i. Millions of Democrats will join his campaign movement.
- j. He is good at war.
- k. He [DJT] alone can fix the problems of the U.S.

81. Since DJT and his campaign identified the under-educated electorate as susceptible to unsubstantiated and false fear tactics and likely to believe the DJT message, this group was unwittingly intimidated into supporting, donating to, acting out illegally on DJT's behalf, and voting for DJT in the primary and supporting and donating to, and pledging votes to DJT in the general election.

82. Since the DJT Campaign, his supporters have committed acts in the name of the Trump Campaign and as a result of DJT's false vitriolic rhetoric at his rallies including but not limited to:

- a. Punching protestors
- b. Burning a church
- c. Committing voter fraud
- d. Threatening to start a coup or assassinate Hillary Clinton if she gets elected.

83. The aforementioned acts put the plaintiff in extreme fear and duress in anticipation of Election Day, his time to exercise his right to vote, and the days, weeks, and months that follow the Election.

RNC, Reince Priebus, and Mike Pence's willful and deliberate act of supporting a false, misleading and coercive campaign designed to intimidate the electorate and coerce detractors.

84. From June 2015 through the present, the RNC, Reince Priebus and Mike Pence had the obligation to represent DJT accurately and faithfully so under-educated voters in the primary and the general election would be able to make an informed decision who is best capable to serve the Office of President of the United States and to the best of their ability and preserve, protect and defend the Constitution of the United States.

85. Reince Priebus did knowingly and willfully threaten the future of Republican presidential hopefuls when he did proclaim on the nationally televised news show "State of the Nation" on or about October 2016 that they would not have the support of the RNC in the future if they did not support DJT in the 2016 election.

86. The coercive and intimidating behaviors of the RNC, Reince Priebus, and Mike Pence did serve to mislead and bolster the under-educated voter base of DJT into falsely believing DJT was a credible and viable Republican candidate for POTUS.

87. Since the US citizens are only afforded 2 realistic choices for the presidency, one party's failure to properly vet or factually represent their nominee could result in the loss of the right to vote for US citizens.

Count 1: 18 U.S.C. § 610 Coercion of Political Activity

88. Pursuant to the aforementioned paragraphs in this complaint, on or about July 2016 to present, defendants, DJT, DJTFP, the RNC and Reince Priebus did knowingly and willingly devise a strategy to coerce the political activity of Republicans through insults, intimidation, false retribution, and slander.

89. Pursuant to the aforementioned paragraphs in this complaint, on or about July 2016 to present, defendants, DJT, DJTFP, the RNC and Reince Priebus did knowingly and willingly devise a strategy to coerce the political activity of the Media through insults, intimidation, false retribution, and slander.

90. Pursuant to the aforementioned paragraphs in this complaint, on or about July 2016 to present, defendants, DJT, DJTFP, the RNC and Reince Priebus did knowingly and willingly devise a strategy to coerce the political activity of the Hillary Rodham Clinton through insults, intimidation, false retribution, and slander.

91. Pursuant to the aforementioned paragraphs in this complaint, on or about July 2016 to present, defendants, DJT, and DJTFP, did knowingly and willingly devise a strategy to coerce the political activity of the women speaking out against DJT's personal assault on them through insults, intimidation, false retribution, and slander.

92. Pursuant to the aforementioned paragraphs, defendants' coercion of political activity of Republican, Public, Media and Democratic opponents against DJT did knowingly and willingly obstruct the Plaintiff's right to vote.

Count 2: 18 U.S.C. § 594 Intimidation of Voters

93. Pursuant to the aforementioned paragraphs in this complaint, on or about June 2015 to present, Defendants did knowingly and willfully intimidate the under-educated electorate into believing the United States is in danger and DJT was a qualified candidate for POTUS.

h. Donald J. Trump for President Inc. and DJT did knowingly and willfully mislead the under educated electorate into believing DJT was committed to the RNC and the US Constitution in order to gain credibility as a candidate, donations, support and votes.

i. RNC, Reince Priebus and Michael Pence did knowingly and willfully mislead the under-educated electorate into believing DJT was committed to the RNC and the U.S. Constitution in order to keep DJT from running as an independent and stealing votes away from the Republican ticket in the general election.

j. Defendants continuously and purposely relied on falsehoods and omitted crucial information in order to deceive the under-educated electorate for the purposes of winning the 2016 presidential election and senate races.

94. Pursuant to the aforementioned facts in this complaint, Defendants did knowingly and willingly conspire to obstruct the voting rights of the Plaintiff by creating a Presidential campaign nearly void of factual information (15% factual assertions and a falsehood every 3 minutes and 15 seconds per speech) with messaging designed to inspire fear, hatred and intimidation into the under-educated voter.

95. The aforementioned fear in the under-educated voters was used by DJT to instill fear and intimidation to any voters opposing DJT like the Plaintiff.

96. Defendants did knowingly and willfully lie and mislead the under-educated voter into believing DJT was the only candidate who can save the doomed society of the United States and they must act in any manner possible to preserve the country and get DJT into office.

97. Such conduct served to intimidate Plaintiff as a citizen, registered republican, and voter.

DAMAGES (NATURE OF INJURY)

1. Based on the aforementioned facts, Defendants have denied the Plaintiff as a Republican the choice in the 2016 presidential election.

2. Based on the aforementioned facts, the irrefutable absence of a truthful, constitutionally and temperamentally fit Republican presidential candidate (despite qualified Primary Candidates) has led to the obstruction of the Plaintiff's Right to Vote.

3. Based on the aforementioned facts, the defendants deliberate intimidation of the under-educated electorate to gain support for DJT did violate the defendant's right to vote.

4. Based in the aforementioned facts, the defendant suppression of formal Republican opposition during the general election obstructed the Plaintiff's right to vote.

5. The aforementioned violations of **Voter Intimidation** and **Coercion of Political Activity** in this complaint led to the violations of **18 U.S.C. 241-242 Conspiracy Against Rights and a Deprivation of Constitutional Rights** and the obstruction of the **26th Amendment to the Constitution for the Right to Vote** against the Plaintiff.

6. Plaintiff has suffered severe emotional distress not only at the prospect of the powerlessness he feels from being denied the choice of an honest and capable Republican Candidate, but Plaintiff has also suffered severe emotional distress from the prospect of the Defendant DJT being elected to represent him as a Republican and worse as the POTUS.

7. Plaintiff also suffers great emotional pain, fear and anxiety on Election Day and beyond.

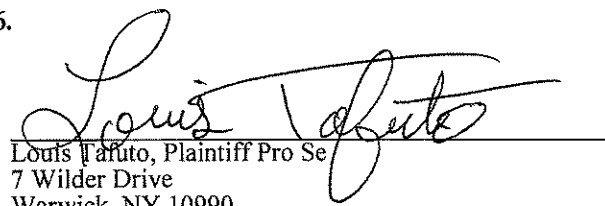
DEMAND (RELIEF)

8. Plaintiff sues defendants for punitive and compensatory damages in the amount of \$1,000,000,000 for severe emotional pain, and suffering and for the deliberate and willful, obstruction of Plaintiff's constitutional rights.

9. Plaintiff sues to have an order of protection against the defendants from making further false statements that incite violence, revolt, assassination, or insurrection.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 7 ^{November} day of ~~October~~ 2016.


Louis Tafuto, Plaintiff Pro Se
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